

Message Text

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43

ACTION OES-05

INFO OCT-01 IO-10 ISO-00 ACDA-10 CIAE-00 INR-07 L-02

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FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC 5468

INFO AEC GERMANTOWN

UNCLAS IAEA VIENNA 1031

E.O. 11652: N/A

TAGS: IAEA TECH

SUBJECT: TRANSFERS OF HIGHLY ENRICHED URANIUM THROUGH
IAEA--PHYSICAL SECURITY MEASURES

REF: STATE 25632

1. REFTEL HAS PROVED RATHER ILLUMINATING, BUT RAISES SOME QUESTIONS AS TO HOW NEW POLICY MENTIONED THEREIN IS GOING TO BE IMPLEMENTED ON SUPPLY ARRANGEMENTS THROUGH IAEA, PARTICULARLY QUESTION OF DEFINING "SPECIAL PHYSICAL SECURITY MEASURES" TO BE REQUIRED AND CRITERIA FOR JUDGING ADEQUACY OF SAME. WE HOPE MATERIAL MENTIONED PARA 2 REFTEL WILL FURTHER CLARIFY MATTER FOR US, SINCE WE BELIEVE WE SHOULD FORMALLY NOTIFY AGENCY OF THIS NEW POLICY. IN THIS CONNECTION, WE WOULD APPRECIATE CLARIFICATION AS TO WHETHER THIS IS BASED ON FINAL ISSUANCE OF PROPOSED AMENDMENTS TO FEDERAL REGISTER DISCUSSED STATE 266834 DTD 12/5/74, OR WHETHER IT REFLECTS SOME OTHER INTERNAL ARRANGEMENT.

2. WE NOW APPRECIATE THAT, BECAUSE OF THIS NEW POLICY, WE APPARENTLY HAVE PROBLEM WITH RESPECT TO PAKISTAN'S REQUEST FOR 5.8 KG HIGHLY ENRICHED MATERIAL, I.E., 800 GRAMS MORE THAN THRESHOLD QUANTITY MENTIONED REFTEL, WHICH AGENCY HOPES CAN BE SUBMITTED TO FEBRUARY 25 BG FOR APPROVAL, AS NOTED IAEA VIENNA 0800 AND 0581. THIS ALSO EXPLAINS SENTENCE IN EURATOM SUPPLY AGENCY LETTER TO UNCLASSIFIED

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IAEA MENTIONED IAEA VIENNA 0801 REQUESTING "SATISFACTORY

ASSURANCES ... THAT MATERIAL WILL BE SUBJECT TO ADEQUATE PHYSICAL SECURITY STANDARDS IN THE RECIPIENT STATE," WHICH WE NOW REALIZE WAS INTENDED TO MEAN EXACTLY THAT AND WAS NOT QUESTION OF MISTRANSLATION, AS WE HAD SUSPECTED. SHOULD BE NOTED THAT THIS POSES DIFFICULT PROBLEM FOR AGENCY, SINCE IT IS NOT RPT NOT IN POSITION TO PROVIDE SUCH ASSURANCES. IT HAS NO RPT NO "STANDARDS" YET (THE FAMOUS "GRAY BOOK" ARE ONLY RECOMMENDATIONS OF A GROUP OF EXPERTS CONVENED BY THE AGENCY, AND THUS, HAS NO RPT NO OFFICIAL STATUS) NOR PROCEDURES OR GUIDELINES SET UP TO JUDGE ADEQUACY OF ANY SUCH "STANDARDS." WHILE WHOLE QUESTION OF PHYSICAL SECURITY MEASURES ARE CLEARLY OF CONCERN TO AGENCY AND IT IS FULLY EXPECTED THAT IT WILL BE ADDRESSED ADEQUATELY BY AGENCY IN DUE COURSE (AGENCY, IN FACT, HAS MEETING GOING ON THIS WEEK TO UPDATE "GRAY BOOK"), BELIEVE IT IS NECESSARY TO ALLOW FOR SOME FLEXIBILITY IN THE INTERIM. OTHERWISE, WE AMY FIND OURSELVES IN AWKWARD POSITION VIS-A-VIS AGENCY AND CERTAIN MEMBER STATES, WITH WHICH WE HAVE NUMEROUS OBLIGATIONS AND COMMITMENTS. PENDING CASE WITH PAKISTAN IS CASE IN POINT. PORTER

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